COUNCIL COMING ATTRACTIONS



Week of September 17, 2018

Accessibility Assistance for Nonprofit Organizations, New Home Warranties, Climate Policy, Farm Alcohol Production Standards, Bicycle Master Plan and Moderately Priced Housing



Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at:

http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html .

The Council meeting schedule may change from time to time. The current Council and Committee agendas can also be viewed at:

http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html .

The Council meeting will begin at 9:30 a.m. on Tuesday, September 18 with two proclamation presentations. Council President Hans Riemer will present a proclamation recognizing Peace Day. Councilmembers Craig Rice and Sidney Katz will present a proclamation recognizing the 230th Anniversary of the United States Constitution.

COUNCIL

Expedited Bill 29-18, Bond Authorization

On Tuesday, the Council will introduce Expedited Bill 29-18. The lead sponsor is Council President Hans Riemer, at the request of the County Executive. Expedited Bill 29-18 would increase the County's bond authorization by \$155,900,000 in certain public facility categories

which is the additional amount needed to fund the capital projects the in the Council's Approved Fiscal Year 2019 Capital Improvements Program (CIP). In addition, the bill would reduce bond authorization in certain public facility categories by \$14,193,000 because the Department of Finance has determined the authorization is no longer needed. The companion resolution consolidates previous bond authorizations and increases total authorization by the amount authorized in Expedited Bill 29-18. A Council public hearing and vote on the bill and the companion resolution is tentatively scheduled for Oct. 2 at 1:30 pm. The Council staff report can be viewed at:

 $\frac{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918\ 2D-3A.pdf$

Bill 30-18, Finance – Accessibility Features Supplement - Established

The Council will introduce Bill 30-18, Finance – Accessibility Features Supplement – Established. Councilmember George Leventhal is the lead sponsor. The goal of this bill is to make home improvements that provide accessibility more affordable and available to seniors and those who have differing abilities. Bill 30-18 would provide a supplement to a non-profit organization for meeting a Level I (visit-ability) or Level II (livability) accessibility standard on a single-family residence. These include things such as ramps, walk-in showers, larger doorways, etc. The Council staff report can be viewed at:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918\ 3B}.pdf$

Bill 31-18, Finance – New Home Warranty and Builder Licensing – Amendments

The Council will introduce Bill 31-18, New Home Warranty and Builder Licensing – Amendments. Councilmember Craig Rice is the lead sponsor. The goal of this bill is to bring the County into greater uniformity with the State of Maryland's builder registration law. Bill 31-18 would require new home builders and new home sellers to register with the Office of Consumer Protection, require new home builders and new home sellers to provide buyers with a new home warranty, and require the Office of Consumer Protection to administer and enforce County law related to new home builders and new home sellers. The Council staff report can be viewed at:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918\ \ 3C.pdf$

Bill 10-18, Administration - Director of County Climate Policy - Established

The Council is scheduled to vote on Bill 10-18. Councilmember George Leventhal is the lead sponsor. Council Vice President Nancy Navarro and Councilmembers Roger Berliner and Tom Hucker are cosponsors. The goal of the bill is to take a more holistic approach to the County's climate policy. Bill 10-18 would require the County Executive to designate an employee as Director of County Climate Policy. The Director's duties would include: advising the Executive, Council and other departments and agencies on the best ways to achieve climate goals; promoting interagency coordination; coordinating climate efforts with County agencies and developing public awareness programs; and recommending legislation as needed to achieve climate goals.

The Transportation, Infrastructure, Energy and Environment (T&E) Committee recommends enactment. The Council staff report can be viewed at:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918\ \ 4A.\underline{pdf}$

Zoning Text Amendment (ZTA) 18-03, Farm Alcohol Production - Standards

At 10 a.m. the Council is scheduled to review Zoning Text Amendment 18-03, Farm Alcohol Production - Standards. Council President Hans Riemer and Councilmember Craig Rice are the lead sponsors. Councilmembers George Leventhal, Sidney Katz and Nancy Floreen are cosponsors. The goal of ZTA 18-03 is to allow breweries, cideries and distilleries located in the

County's Agricultural Reserve to supplement their income by allowing additional sales activities. As introduced, ZTA 18-03 would incorporate many of the standards that were applicable to wineries and apply those standards and others to breweries, cideries and distilleries. In addition to the manufacture of alcoholic beverages, ZTA 18-03 would allow tasting rooms, the sale of food (to the extent allowed by the state manufacturing license) and up to nine events a year with 300 or more people. A larger number of events would be allowed only if the use is approved as a conditional use. The Planning, Housing and Economic Development (PHED) Committee recommends enactment with amendments as described in the Council staff report, which can be viewed at:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918_5A.pdf$

WorkSource Montgomery

At 11 a.m. the Council is scheduled to have a discussion with WorkSource Montgomery. This organization is responsible for coordinating public and private-sector policies and programs to connect employers and job seekers. WorkSource Montgomery focuses on understanding targeted and emerging industry demands, creating sustainable workforce solutions and increases the ability of individuals to compete for higher-quality jobs through education. The following individuals will participate in the Council discussion: Ellie Giles, CEO, WorkSource Montgomery (WSM); Camille McKenzie, American Job Center Manager, WSM; Uma Ahluwalia, Director, Department of Health and Human Services (HHS); and Robert Green, Director, Department of Correction and Rehabilitation (DOCR). The Council requested this briefing following the review of the workforce development funding in HHS's FY19 budget for the East County Opportunity Zone (ECOZ). WSM and relevant County departments will provide an overview of all four job centers in the County to provide context for the County's efforts in the East County. The Council staff report can be viewed at:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918} \ \ \underline{6red.pdf}$

PUBLIC HEARINGS

Bill 28-18, Boards, Committees and Commissions Amendments

The goal of Bill 28-18 is to better align certain boards, committees and commissions with their core mission. Bill 28-18 would reduce the membership of the Cable and Communications Advisory Committee from 15 members to nine members, increase the number of veteran representatives on the Commission on Veterans Affairs and remove the director of the Department of Economic Development from the Commission and change the name of the Committee on Hate/Violence to the Committee Against Hate Violence. Council President Hans Riemer is the lead sponsor, at the request of the County Executive. The Government Operations and Fiscal Policy (GO) Committee meeting on Bill 28-18 is tentatively scheduled for Sept. 24 at 2 p.m. The Council staff report can be viewed at:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918 7.pdf

TTA 18-10, Townhouse Living - Accessibility Tax Credit

The goal of ZTA 18-10 is to help make accessibility improvements more affordable. ZTA 18-10 would allow the owner of a project that was approved as an accessible, conditional use with increased density to be eligible for tax credits. The lead sponsor is Councilmember Craig Rice. The Planning, Housing and Economic Development (PHED) Committee meeting on ZTA 18-10 is tentatively scheduled for September 20 at 9:30 a.m. The Council staff report can be viewed at: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2018/20180918/20180918 8.p df

COMMITTEE

Quarterly Update for National Philharmonic

On September 17 at 9:30 a.m. the Health and Human Services (HHS) Committee will meet to receive its quarterly update from the National Philharmonic. Those expected at the meeting include: Leanne Ferfolia, National Philharmonic President; Todd Eskelsen, National Philharmonic's Board Chair; and Deborah Lambert from the Office of Management and Budget. Suzan Jenkins, Chief Executive Officer of the Arts and Humanities Council of Montgomery County, has also been invited to attend the meeting. The Council staff report can be viewed at: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/180917/20180917_HHS 1.pdf

Bill 6-18, Contracts - Labor Peace Agreements - Displaced Service Workers – Amendments On Sept. 17 at 9:30 a.m. the Government Operations and Fiscal Policy (GO) Committee will continue its review of Bill 6-18. Councilmembers Marc Elrich and Tom Hucker are the lead sponsors. Councilmember Craig Rice and Council Vice President Nancy Navarro are cosponsors. The goal of this bill is to prevent potential interruptions of services for residents provided by County contractors. These services include security, janitorial, building maintenance, food preparation and some non-professional healthcare services. Bill 6-18 would amend the County procurement laws to: require certain County contractors to enter into a labor peace agreement with a labor organization; establish minimum requirements for a labor peace agreement; require certain County multi-term contracts to include a minimum price increase provision; and add certain workers performing services under a County residential solid waste collection contract to the County Displaced Service Workers Protection Act. The Council staff report can be viewed at: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/180917/20180917_GO1.pdf

Interagency Pesticide Use

On September 17 at 2 p.m. the Planning Housing and Economic Development (PHED) Committee and the Transportation, Infrastructure, Energy and Environment (T&E) Committee will meet jointly to get an update on interagency pesticide use. Those expected at the meeting include: Stan Edwards, Chief, Division of Environmental Policy and Compliance, Department of Environmental Protection (DEP); Mary Travaglini, Program Manager, Organic Lawn and Landscaping Program, DEP; Michael Riley, Chief of Parks, M-NCPPC, Montgomery Parks; and Isami C. Ayala-Collazo, Deputy Director/Chief Operating Officer, Department of General Services. Some of the topics that will be discussed include enforcement, outreach and Integrated Pest Management (IPM) on County and park property. The Council staff report can be viewed at:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/180917/20180917\ \ PHE\ \underline{DTE1.pdf}$

Bicycle Master Plan

On Sept. 17 at 2:45 p.m. the T&E Committee will review the Bicycle Master Plan for Montgomery County. The goals of the Bicycle Master Plan are: to make the County a world-class bicycling community; to promote access to a comfortable, safe and connected bicycle network; and to make bicycling a viable transportation option that improves the County's quality of life. Casey Anderson, Chairman, Montgomery County Planning Board and David Anspacher Transportation Supervisor, Montgomery County Planning Department, will participate in the meeting. The Council staff report can be viewed at:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2018/180917/20180917\ \ TE1.}\\ \underline{pdf}$

TTA 18-10, Townhouse Living - Accessibility Tax Credit

On September 20 at 9:30 a.m. the PHED Committee will meet to review ZTA 18-10. See page three for information. The Council staff report will be available on September 18.

TTA 18-06, MPDU- Bonus Density

The PHED Committee also will review ZTA 18-06. Councilmember Nancy Floreen is the lead sponsor. The goal of this zoning change is to help increase the supply of affordable housing in the County. The ZTA would revise or establish Moderately Priced Dwelling Unit (MPDU) bonus density standards for certain Residential, Commercial/Residential, Employment and Overlay Zones and would generally amend provisions concerning MPDUs in the Zoning Ordinance. ZTA 18-06 uses the standards for bonus density currently in Chapter 25A and amends the Zoning Ordinance accordingly. The first 15 percent of MPDUs in a project would allow bonus density for the project up to a maximum bonus density of 22 percent. ZTA 18-06 also would apply a bonus density provision to optional method development in the R-200, R-90, R-60, R-40 (residential) and TLD (town house low density) zones. Under ZTA 18-06, bonus density would not be limited to the "usable area" of the site. The Council staff report will be available on September 18.

Executive Regulation 8-18, Adoption Schedule of Fees for Fire Safety Code Permits

The Committee will close out its meeting with a review of Executive Regulation 8-18, Adoption Schedule of Fees for Fire Safety Code Permits. Executive Regulation 8-18 would provide a consistent and efficient method of calculating the fees, eliminating the current 10 percent technology fee, replacing fees based on hourly rates, eliminating the current invoice method of collection and reducing reliance on the general fund to cover services. The regulation can be viewed at: https://www.montgomerycountymd.gov/exec/Resources/Files/8-18.pdf. The Council staff report will be available on September 18.